

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**NANCY MURPHY and ROBERT
STEWART,**

Plaintiffs,

v.

**THOMAS JEFFERSON UNIVERSITY
HOSPITALS, INC. d/b/a
JEFFERSON HEALTH,
Defendant.**

**CIVIL ACTION
No. 22-4674**

ORDER

AND NOW, this 10th day of **October 2023**, upon consideration of Defendant Thomas Jefferson University Hospital's Motion to Dismiss (ECF 28), Plaintiffs Nancy Murphy and Robert Stewart's Response in Opposition (ECF 30), Plaintiffs' Motion for Leave to File a Second Amended Complaint (ECF 29), Plaintiffs' Motion for Leave to File a Reply Brief (ECF 31), and both parties' Notices of Supplemental Authority (ECF 32 and 33), and consistent with the accompanying Memorandum of Law, it is **ORDERED** that:

1. Thomas Jefferson University Hospital's Motion to Dismiss (ECF 28) is **GRANTED** and Plaintiffs' Amended Complaint is **DISMISSED** with leave to amend;
2. Plaintiffs' Motion for Leave to File their proposed Second Amended Complaint (ECF 29) is **DENIED**;
3. Plaintiffs' Motion for Leave to File a Reply (ECF 31) is **GRANTED**. The Court has considered their proposed Reply (ECF 31-2) as if it had been docketed; and
4. If Plaintiffs can allege sufficient facts to state a claim, they shall file their Second

Amended Complaint on or before **Friday, October 27, 2023**.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Berle Schiller", written over a horizontal line.

Berle M. Schiller, J.